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9 -and-

10 SimmonsCooper LLC
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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 IN RE: BEXTRA AND CELEBREX
19 MARKETING SALES PRACTICES,
20 AND PRODUCT LIABILITY
21 LITIGATION

Case No. M:05-CV-01699-CRB

MDL NO. 1699

**STIPULATION AND ORDER OF DISMISSAL
WITH PREJUDICE**

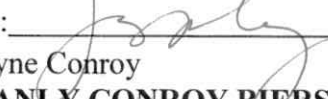
22 This Document Relates To:

23 *Ballard and Faye Rutherford, et. al., vs.*
24 *Pfizer, Inc.,.*
25 MDL No. 06-5203: Plaintiff Ballard
26 Rutherford and Faye Rutherford

27 Come now the Plaintiffs, Ballard Rutherford and Faye Rutherford, and Defendant, Pfizer
28 Inc., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

1 41(a), and hereby stipulate to the dismissal with prejudice of Plaintiffs, **Ballard Rutherford and**
2 **Faye Rutherford's** action only, with each side bearing its own attorneys' fees and costs.

3
4
5 Dated: _____, 2009


6 By: 
7 Jayne Conroy
8 **HANLY CONROY BIERSTEIN**
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16 **SIMMONSCOOPER LLC**
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21 *Counsel for Plaintiff.*

22
23 Dated: March 11, 2009

24 By: 
25 Michelle W. Sadowsky
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Counsel for Defendant Pfizer, Inc.

23 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
24 **IT IS SO ORDERED.**

25
26 Dated: March 30, 2009

27 By: 
28 United States District Court